

1 S.128

2 Introduced by Senator Flory

3 Referred to Committee on Government Operations

4 Date: March 17, 2017

5 Subject: Open Meeting Law; executive sessions

6 Statement of purpose of bill as introduced: This bill proposes to expand the
7 existing provision of the Open Meeting Law that authorizes public bodies to
8 enter into executive sessions to discuss security or emergency response
9 measures.

10 An act relating to executive sessions under the Open Meeting Law

11 It is hereby enacted by the General Assembly of the State of Vermont:

12 Sec. 1. 1 V.S.A. § 313 is amended to read:

13 § 313. EXECUTIVE SESSIONS

14 (a) No public body may hold an executive session from which the public is
15 excluded, except by the affirmative vote of two-thirds of its members present
16 in the case of any public body of State government or of a majority of its
17 members present in the case of any public body of a municipality or other
18 political subdivision. A motion to go into executive session shall indicate the
19 nature of the business of the executive session, and no other matter may be

1 considered in the executive session. Such vote shall be taken in the course of
2 an open meeting and the result of the vote recorded in the minutes. No formal
3 or binding action shall be taken in executive session except for actions relating
4 to the securing of real estate options under subdivision (2) of this subsection.
5 Minutes of an executive session need not be taken, but if they are, the minutes
6 shall, notwithstanding subsection 312(b) of this title, be exempt from public
7 copying and inspection under the Public Records Act. A public body may not
8 hold an executive session except to consider one or more of the following:

9 * * *

10 (10) ~~municipal or school~~ security or emergency response measures, the
11 disclosure of which could jeopardize public safety.

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13 Sec. 2. EFFECTIVE DATE

14 This act shall take effect on passage.